

REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

The present Supplemental Amendment is made supplemental to the response filed October 12, 2010, the entire contents of which being incorporated herein by reference.

The undersigned appreciatively acknowledges the courtesy extended by Examiner Topgyal and SPE Pappas by holding a personal interview with the undersigned on November 9, 2010. During the interview, agreement was reached with regard to amending the independent claims to overcome the outstanding Office Action, by incorporating into the claims features of reducing an audio buffer size capacity required when inputting data according to an arrival time stamp. The present Amendment amends the independent claims consistent with what was agreed upon. For example, Claim 1 has been amended to further require that "said capacity [capacity of the audio buffer] being less than an additional one second of buffer capacity required to accommodate a maximum bit rate when an arrival time stamp is ignored". Support for this amendment is found at page 49 and therefore no new matter is added. Similar amendments were made to the other independent claims consistent with the form of the other independent claims.

As was discussed during the interview, it was the present inventors who recognized that by continuing to read the additional source packets between times T1 and T2 (Figure 9) according to the arrival time stamp, it is possible to reduce the size of the capacity of the audio buffer as explained in the Background section of the present patent application (e.g. page 5, lines 5-9). The reduction is possible because in conventional systems the data rates are changed to accommodate a recording rate between times T1 and T2. As a consequence in a conventional system additional buffer amount (about one second) is required in addition to the buffer amount defined by the T-STD so that an audio decoder can process the input data

between times T1 and T2. However, as recognized by the present inventor, by continuing to read data after the expiration of time T1, according to the arrival time stamp, the additional buffer space is not needed.

These comments were provided in the previously filed response, but in light of the personal interview, the claims have now been amended to include a structural element regarding the capacity of the audio buffer as it relates to a maximum bit rate and arrival time stamp.

In view of the present Supplemental Amendment and in light of the foregoing comments it is respectfully submitted that the invention defined by Claims 1-11 and 14-22, as amended, is patentably distinguishing over the asserted prior art. The present application is therefore to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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